

6. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE DREIER OF CALIFORNIA, OR HIS DESIGNEE, DEBATABLE FOR 20 MINUTES:

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Revised

**AMENDMENT TO H.R. 1588, AS REPORTED
OFFERED BY MR. DREIER OF CALIFORNIA OR MS.
LOFGREN OF CALIFORNIA**

At the end of title X (page 333, after line 21), insert
the following new section:

**1 SEC. ____ . REPEAL OF MTOPS REQUIREMENT FOR COM-
2 PUTER EXPORT CONTROLS.**

3 (a) REPEAL.—Effective 120 days after the date of
4 the enactment of this Act, subtitle B of title XII and sec-
5 tion 3157 of the National Defense Authorization Act for
6 Fiscal Year 1998 (50 U.S.C. App. 2404 note) are re-
7 pealed.

8 (b) CONSULTATION REQUIRED.—During the 120-
9 day period beginning on the date of the enactment of this
10 Act and before implementing any new regulations relating
11 to an export administration system for high-performance
12 computers, the President shall consult with the following
13 congressional committees:

14 (1) The Select Committee on Homeland Secu-
15 rity, the Committee on Armed Services, and the
16 Committee on International Relations of the House
17 of Representatives.

18 (2) The Committee on Armed Services, the
19 Committee on Foreign Relations, and the Committee

1 on Banking, Housing, and Urban Affairs of the Sen-
2 ate.

3 (c) REPORT.—Not later than 30 days after imple-
4 menting any regulations described in subsection (b), the
5 President shall submit to Congress a report that—

6 (1) identifies the functions of the Secretary of
7 Commerce, Secretary of Defense, Secretary of En-
8 ergy, Secretary of State, the Secretary of Homeland
9 Security, and any other relevant national security or
10 intelligence agencies under the export administration
11 system embraced by those regulations; and

12 (2) explains how the export administration sys-
13 tem will effectively advance the national security ob-
14 jectives of the United States.

15 (d) NEW REGULATIONS.—If the President finds that
16 it is in the national security interest of the United States,
17 the President may, after consultation with the Secretary
18 of Commerce, Secretary of Defense, Secretary of Energy,
19 Secretary of State, Secretary of Homeland Security, the
20 Director of Central Intelligence, and other relevant na-
21 tional security and intelligence agencies, issue regulations
22 that replace the current MTOPS-based method for con-
23 trolling computer exports, after considering other means
24 of controlling such exports, including controls that may
25 incorporate accepted and accurate measurements of com-

- 1 puter performance (including the performance of clustered
- 2 computers).